

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

BRAND DESIGN COMPANY, INC. d/b/a  
HOUSE INDUSTRIES,  
Plaintiff,

v.

RITE AID CORPORATION, SWAY  
CREATIVE LABS, LLC, GA  
COMMUNICATIONS, INC., d/b/a  
PURERED CREATIVE, LLC, and BURNS  
GROUP, NYC, LLC,  
Defendants.

CIVIL ACTION

NO. 22-1174

**ORDER**

AND NOW, this 14th day of February, 2024, upon consideration of Defendants' Motions to Exclude the Expert Testimony of Graham D. Rogers (ECF Nos. 136, 144), Plaintiff's opposition thereto (ECF No. 161), and Defendants' replies (ECF Nos. 163, 167), **IT IS HEREBY ORDERED** that the Motions are **DENIED**.

**IT IS FURTHER ORDERED** that the Plaintiff's and Defendant Burns Group's Motions to Seal Documents (ECF Nos. 158, 159) are **GRANTED**, and that Defendant GA Communications' Motion to Seal Documents (ECF No. 157) is **GRANTED IN PART** and **DENIED IN PART**. On or before **February 28, 2024**, the parties shall ensure that versions of their *Daubert* briefing containing only the redactions described in ECF Nos. 158-1, 159-2, and 144-1 are filed on the public docket.

**BY THE COURT:**

*/s/ Wendy Beetlestone*

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**WENDY BEETLESTONE, J.**